

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

S2 15 Cr. 95 (AJN)

DANTE PLUMMER,

Defendant.

SENTENCING MEMORANDUM

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January 9, 2017

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BY ECF

The Honorable Alison J. Nathan
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: United States v. Dante Plummer, S2 15 Cr. 95 (AJN)

Dear Judge Nathan:

We respectfully submit this letter on behalf of our client Dante Plummer in connection with his January 17, 2017 sentencing in the above-captioned matter. We ask the Court to show mercy on Dante at sentencing and provide this young man with a chance to turn his life around.

Although he is only 20 years old, Dante has experienced a lifetime's worth of heartache. He has lost both of his brothers to gun violence and has spent his teenage years without a father due to his father's arrest and deportation. These tragic events during his formative years led Dante to make a series of bad choices and ultimately participate in the bank fraud charged in the Indictment. As evidenced by his voluntary surrender and prompt guilty plea, it is clear that he has begun taking steps to get his life headed in the right direction. It is also clear from the accompanying letters from family and observers of his volunteer work that Dante is a young man with promise who, if given the right opportunities, can be a productive member of society. While the U.S. Sentencing Guidelines call for a sentence of imprisonment in this case, subjecting Dante to a lengthy prison term will do little to help him succeed. As such, we respectfully request that Your Honor show mercy on Dante and sentence him to the shortest sentence necessary to meet the needs of punishment and deterrence. As the Court knows, he has been incarcerated since his surrender in this case, and so has served eight months already. We further request that the Court recommend that Dante be provided access to educational and vocational training so that he leaves prison with the tools necessary to succeed.

I. Dante's Background and Personal History

Dante was born in Mount Vernon, New York, in 1996, and has lived most of his life in New York. Dante's short life has been marked by traumatic family events and great sadness. These

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events have clearly affected the way Dante approached life before his arrest and undoubtedly led to his poor choices, including participating in the charged bank fraud.

Dante first encountered tragedy at only two years old when his brother Mark Bruce was shot and killed in the Bronx. Almost thirteen years later, Dante's surviving brother, Durrell Gordon, was shot and killed in Mount Vernon, New York. Dante was only 15 years old when Durrell was killed and his death had a serious impact on the next few years of Dante's life.

Just before Dante lost his brother Durrell, his father was deported following a drug arrest. This loss, coming when Dante was only 12 years old, shifted the ground beneath this young man's feet, as his father had been active in raising him. Although they kept in touch, the loss of daily contact with his father put a large hole in Dante's life. In a letter submitted to Your Honor, Dante's sister Melecia Granville describes the impact that the loss of Dante's father had on him. She writes, "When he [Donald Plummer] was deported Dante's behavior and school grades beg[a]n to decline." (Ex. A, M. Granville Letter.)

After Durrell's murder, Dante's mother, who was now raising Dante alone, sent him to live with relatives in Ohio in the hopes that it might help him avoid the cycle of violence that had taken her two other sons. (Ex. A, M. Granville Letter.) However, the teenager did not adjust well to living in Ohio and soon returned to New York. After returning to New York, Dante dropped out of school; leaving before he finished the ninth grade. Dante never received therapy or counseling to cope with these issues of loss because, as his sister explains, he is part of a "West Indian family who doesn't believe in therapy and/or counseling." (Ex. A, M. Granville Letter.) In the absence of any professional help, Dante turned to drugs and began smoking marijuana on a daily basis. This drug abuse also contributed to his lack of direction and poor choices.

The hardships in Dante's life are no excuse for his criminal activity. Dante knows that what he did was wrong and that he must be punished for his crime. He is prepared to accept whatever punishment Your Honor deems appropriate. However, the unique circumstances of Dante's life are important considerations in crafting a sentence that balances the need for deterrence with an understanding of what may have led him to this point in his life.

Notwithstanding the difficulties in his life, Dante is a young man with a great capacity to love. He has been described by his family as a "respectful young man," who "never curses in front of his elders" and "enjoys bringing people laughter and joy." (Ex. A, M. Granville Letter; Ex. B, A. Granville Letter.)

As laid out in the accompanying letters to the Court, Dante has spent time volunteering at his mother's employer, Regal Care of Greenwich, for the Therapeutic Recreation Department, and assisted patients suffering from dementia and Alzheimer's disease. Dante read to these elderly patients, assisted them with transportation to and from the facility, as well as led volunteer groups.

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He also made room visits to the patients suffering from these difficult ailments and interacted with them as part of his volunteer work. (Ex. A, M. Granville Letter; Ex. B, A. Granville Letter; Ex. C, M. Milbin Letter; Ex. D, M. Quattrochi Letter; Ex. E, M. Wallace Letter.) Employees of Regal Care and one of its patients have taken the time to write the Court and share their positive experiences with Dante. Marjorie Milbin, a longtime employee of Regal Care who observed Dante's interactions with the residents, has described Dante as "a very intelligent and respectful young man." (Ex. C, M. Milbin Letter.) Michelle Cortina Quattrochi, the Corporate Director of Marketing & Business Relations at Regal Care, shared that during his visits, "Dante has shown compassion with the elderly and the residents enjoyed spending time with him." (Ex. D, M. Quattrochi Letter.) Mary Louise Wallace, a patient of Regal Care, who has met Dante on a number of occasions, described him as "polite and above all caring," and additionally shared that, "[o]nly a good, caring young man would visit a nursing home when he did not have to." (Ex. E, M. Wallace Letter.)

Equally important, Dante has people around him who are anxious to help him turn his life around. Dante's mother explains in her letter that her only living son "means the world" to her, and that "he is that son who is always willing to shovel the driveway, make store errands, and will assist [her] if his assistance is needed in the kitchen." (Ex. B, A. Granville Letter.) His sister describes their family as close-knit, and said that she and Dante "express a great deal of affection for each other." (Ex. A, M. Granville Letter.) She additionally shared how Dante helps to babysit her daughter when she and her fiancé have to work, and that he is a "fantastic uncle." (Ex. A, M. Granville Letter.) Both his sister and mother are willing to provide support to Dante once he is released; to "hold his hand and direct him on the right path" and to "encourage the positive growth necessary to ensure his well being." (Ex. A, M. Granville Letter; Ex. B, A. Granville Letter.) Finally, Dante has been dating Kalynn Stith for over three years, and the couple has a child together. Kalynn describes Dante as her "support system," and someone who is "there for her." (Exhibit F, K. Stith Letter.) Kalynn has maintained her relationship with Dante during his incarceration and hopes to continue building their relationship after Dante is released from prison.

In addition to the people committed to helping Dante get on the right path, Dante's daughter motivates him to turn his life around. Dante cares very deeply for his daughter and has been active in her life. Dante's sister remarks that Dante is a "fantastic father," who traveled regularly to Connecticut to see his daughter. (Ex. A, M. Granville Letter.) Dante's mother describes that, "[o]n an early morning, you could find him making his daughter's bottle, reading to her, singing the ABC's song with [her], and encouraging her to converse with him." (Ex. B, A. Granville Letter.) Finally, the child's mother, Kalynn Stith, has described Dante as, "the best young father [that she] know[s], a man who has "done an outstanding job of helping [her] raise [their] 1 year old." (Exhibit F, K. Stith Letter.) She explained the impact that Dante's incarceration has had on their child, who "asks to see him repeatedly and talks about how much she misses him everyday." (Exhibit F, K. Stith Letter.) Kalynn shared that their child "needs to have her father in her life," and that Kalynn needs his help raising her as well. (Exhibit F, K. Stith Letter.)

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Dante now realizes that his incarceration is creating the same hole in his young daughter's life as he experienced when his father was deported. As such, this experience has served as a wake-up call for him, and he is committed to leading a productive and law-abiding life. Dante realizes that continuing with the same associations and habits will lead to additional incarceration and a life apart from his daughter.

II. Dante's Involvement in the Conspiracy

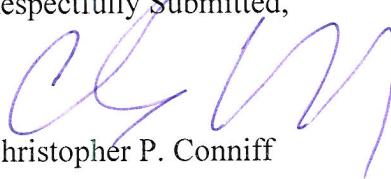
Dante finds himself part of what the government cast as the largest gang takedown in history. It is important to recognize, however, that Dante played only a small part in the charged conspiracy. Dante has pled guilty to what he did -- participate in a scheme to defraud through the use of phony checks -- and his punishment should reflect his role in this crime. Additionally, we ask the Court to consider that Dante was only a teenager at the time he committed this crime.

Given Dante's limited participation in the larger charged conspiracy and prompt acceptance of full responsibility for his crime, we respectfully request that the Court impose the lowest possible sentence to meet the ends of justice. While we believe that Dante is entitled to a sentence *below* the Guidelines calculation, if the Court is inclined to follow the Guidelines, we respectfully request that the Court impose a sentence at the low end of the applicable Guidelines range, and that the Court request access to educational or vocational training for Dante. *See* 18 U.S.C. §3553(a). We additionally respectfully request that Dante be able to serve this sentence as close to the New York City area as possible to facilitate the maintenance of family ties.¹

III. Conclusion

For the reasons set forth herein, we respectfully request that the Court sentence Dante to the minimal sentence necessary to meet the ends of justice.

Respectfully Submitted,


Christopher P. Conniff

cc: AUSA Rachel Maimin

¹ Under the Sentencing Guidelines, the parties have agreed that Dante has a total offense level of 18 and Criminal History Category of I. Based on this total offense level and Criminal History Category, the guidelines range is 27 to 33 months imprisonment.

Exhibit List

Letter of Melecia S. Granville	Ex. A
Letter of Arthurine Granville	Ex. B
Letter of Marjorie Milbin	Ex. C
Letter of Michelle Cortina Quattrochi	Ex. D
Letter of Mary Louise Wallace	Ex. E
Letter of Kalynn Stith	Ex. F

EXHIBIT A

Melecia S. Granville
[REDACTED]

Bronx, NY [REDACTED]

December 1, 2016

Dear Your Honor,

I am writing you this letter to give you a clear and detailed depiction of my brother Dante Plummer's character and life shaping experiences. I'm a firm believer in that... some people have to self destruct physically and emotionally, survive through the results before they are able to make a difference in their lives. While others are born with the ambition, motivation and common sense to see the examples before them, whether they are good or bad and make improvement in their lives to avoid the same mistakes and exceed the greats. Dante is obviously the one who has to self destruct.

Dante in the recent years along with all the members of my family has suffered many loses. The idea of coping doesn't come easy when your born into a West Indian family who doesn't believe in therapy and/or counseling. During Dante's early teenage years, his Father who was not my biological father was deported. Not only was he a father to Dante but, he raised all of my mother's children. When he was deported Dante's behavior and school grades begun to decline. A few years after his deportation, the family suffered another lost, Our brother Durell Gordon. He was murdered at the age of 24 while sitting in his car. In my opinion, this death in many instances broke our family. Normalcy became a place in life we thought we would never achieve again. My mother seen a downward spiral effect in Dante's behavior and made an

executive decision to send him to live with family in Ohio. She seen the move as the only option to get him away from the current neighborhood where she resides. By this time she was terrified to loose another son, especially since she has now lost two children. Dante became a little oppositional while there and I convinced my mom to have him return to NY. I felt that it was important for her to be around him considering, that they were both going through the same kind of pain and that she would be the only one who could help him cope. I probably shouldn't have done that... factoring that two hurt people would have a trying time attempting to heal each other.

I have to admit that my brother is a work in progress. Dante is a very respectful young man. He never curses in front of his elders and still maintains manners even with his older siblings. He has the ability if strongly guided, to become something great. Unfortunately, due to zone rivalry. Dante didn't excel in school. He would get dropped off to school daily by our mom but, would leave immediately after due to fear of loosing his life. He became a teenage father and may I add and fantastic father too. He travels on a day to day to make time for his daughter and is very family orientated . Although Dante didn't graduate from high school, he still passed all his regents exams. Which proves that if he actually attending class, he would be in college today. He is also a fantastic uncle and often times he would babysit my daughter on days that my fiance' and I both have to work. Dante on many occasions would volunteer at our mom's job assisting the Therapeutic Recreation department with structured activities created for dementia and Alzheimer's patients. In many ways I blame myself for moving out too early and for distancing myself from my very close nit family. I guess I use distance as my coping mechanism and while helping myself I added to the already crumbling bridge. We constantly tell each other "I love you" and express a great deal of affection for each other. I practically raised my

baby brother. We are 9 years apart in age but, he was really like my child growing up. I strongly believe that if I had made myself more visible around him during his teenage years, he would've been unstoppable. I am a college graduate and is currently employed at Saint Vincent's Hospital of Westchester with the Inpatient Mental health Community.

Dante has intellectual ability to change. I personally feel that he has finally fallen on his face and is on "HIS" ground in fetal position. He is at the stage of his life where he has no choice but to rebirth himself. Change is no longer an option but, will be constant. As his older sister I will do everything possible to stimulate and encourage growth in him. This may have not been the path that I wanted for him, yet and still... this may have been the event that was necessary in his life to change his life. With that been said, Your honor I am asking you from the bottom of my heart to provide me with the ability to hold his hand and direct him on the right path. Whatever decision you make I'm sure it will be for the best. Thanking you in advance.

Sincerely,

Melecia S. Granville

EXHIBIT B

December 11, 2016

Dear Your Honor,

First and foremost I'd like to thank you in advance for giving us the opportunity to write character letters based on our personal accounts with my son Dante Plummer. I also thank you very much for your dedication to the criminal justice system.

To keep this all short, I have to admit my personal accounts of my son may have some biases. Mainly because, a mother's love is like no other when it comes to her children. Your Honor, like all mothers I've done everything possible to protect my children. I have grown weary of the weights of the world. For me, protection was more important than anything. I had five child births and currently I only have three children left. I lost two sons to the harsh streets and I've been doing everything possible to ensure the safety of the three that I have left.

My baby means the world to me. I know the familiarity in the word baby when a mother speaks of her child, strikes a cord of course, my baby has broke the law. I'm here to say that my son is far from a saint but, what I can say is he takes great care of his daughter and is a very respectful young man. On an early morning, you could find him making his daughter's bottle, reading to her, singing the ABC's song with and encouraging her to converse with him. He is that son who is always willing to shovel the driveway, make store errands and will assist me if his assistance is needed in the kitchen.

I'm currently employed at Regal Care of Greenwich, Greenwich CT. On occasion, Dante would attend work with me. Dante has assisted the Therapeutic Recreation Department

with tailored programs for the Dementia and Alzheimer residents. He also makes room visits to the short term and skilled nursing residence. He has read magazines, assisted them with transportation to and from programs and also lead volunteer groups for the facility. The administration at my job is willing to take him back with open arms for the volunteer program.

Dante enjoys bringing people laughter and joy. He has his gift in his hands but, needs the proper leadership to obtain it. Given his current discrepancy, the family has moved back to the drawing board... We have now developed the proper plan to help him stay on track. Your honor, all I need is his release to execute the plan. I'm begging you from the bottom of my heart to release him to me so that as a family we could encourage the positive growth necessary to ensure his well being as a young man.

Sincerely,

Arthurine Granville, Mother

EXHIBIT C

MY NAME IS MARJORIE MILBIN. I WORKED AT REGAL CARE OF GREENWICH FOR OVER 24 YEARS. I'M A CERTIFIED NURSING ASSISTANT. I'VE MET DANTE PLUMMER WHO WAS A VOLUNTEER AT THE FACILITY. I WORKED WITH HIS MOTHER AND I WAS AWARE SHE HAD CHILDREN BUT I WAS ONLY GIVEN THE OPPORTUNITY TO MET TWO OF THEM, MELECIA AND DANTE.

DANTE PLUMMER IS A VERY INTELLIGENT AND RESPECTFUL YOUNG MAN WHO HAS A BRIGHT FUTURE AHEAD. I'VE OBSERVED HIM DURING HIS MANY INTERACTIONS WITH THE RESIDENTS.

EXHIBIT D

Good Day,

I have had the pleasure of knowing Arthurine Granville over the course of the last 15 years as a work colleague and personal friend.

During those years I have met Dante T.Plummer her son on various occasions including when Arthurine has brought him into work to volunteer some time with the elderly population as we both worked together in a Skilled Nursing Facility.

These previous visits Dante has shown compassion with the elderly and the residents enjoyed spending time with him.

Thank you,
Michelle Cortina Quattrocchi

--
Michelle Cortina Quattrocchi

Corporate Director of Marketing & Business Relations

**RegalCare at Greenwich
1188 King Street
Greenwich, Connecticut 06831**

**T:203-347-1302
F:203-531-8747
C:914-447-7799**

EXHIBIT E

DATE: January 4, 2017

RE: Dante Plummer

Only a good, caring young man would visit a nursing home when he did not have to.

I met Dante Plummer the first time about six years ago when he visited the rehab unit of a nursing home where I was a patient. I have subsequently met him more times on other occasions when I was again back in rehab. I have found him to be polite and above all caring. He obviously loves his daughter who strikes me as being abnormally advanced for her age.

His mother, Arthurine Granville, is the most gifted certified nurses' assistant that RegalCare at Greenwich, CT has and, along with his sister, Melecia Granville, whom I also know, will be good support for Dante in his future.

Please contact me if more information is desired.

Mary Louise Wallace, BA, MS, MLS, 6th Year Diploma in Educational Administration, Former Doctoral Candidate

[REDACTED]

[REDACTED]

Riverside, CT [REDACTED]

203-637-2127

EXHIBIT F

KALYNN
STITH

Kalynn1021@gmail.com

To whom it may concern:

I am the mother of Dante Plummer's daughter. I am writing you to inform you of how important Dante's presence is to my daughter and our family. He is my support system and a great father to our daughter. My daughter M [REDACTED] P [REDACTED] will be 2 in [REDACTED] so these early stages of her life she's not able to understand that her father is incarcerated. All she knows is that she doesn't wake up or go to sleep with her daddy anymore. She only gets to see him at a place mommy calls his school, where he's behind metal bars and doors. She ask to see him repeatedly and talks about how much she misses him everyday. Dante is the best young father I know. Being only 20 years old, he's done an outstanding job of helping me raise our 1 year old. He's been there for me and our daughter since the day she was conceived and it's so hard without him being here. Due to him not being able to control when we see him or how long we visit him for, I've managed to travel by Metro North Train, MTA train & buses from the state of Connecticut to the Metropolitan Correctional Center with our child, once every week just so that my daughter and her father's relationship can continue to grow strong.

I'm only 19 years old, so I am very young myself. I graduated high school in 2015. I am currently employed and enrolled in college. So because of Dante's absence I've been struggling to take care of myself and our daughter, earn my degree and keep food on the table for us.. I'm hoping for the best possible outcome in this terrible situation and praying that this doesn't continue to affect my daughter and her relationship with her father. She needs to have her father in her life, as much as I need him to help me raise her. I'm eager for Dante to come home and move to Connecticut with me and his daughter to begin to move forward, in a better path.

Sincerely,

KALYNN